

Categorical Exclusion Determination and Decision Record for Ginger Creek Post-fire Rehabilitation OR115-09-03

Description of Proposed Action

The Butte Falls Resource Area proposes to ‘brushpack’ 500 meters of Ginger Creek. Brushpacking involves the hand placement of small diameter conifers in complex arrays to serve as instream structure with the effect of sediment storage. Two truckloads (less than 100 stems) of finely branched conifers would be cut from an overstocked progeny site. Conifers would also be cut at the brushpacking site for use as poles. All trees used in this project would be less than 7 inches in diameter at breast height (DBH). Trees cut on-site would be understory trees that are suppressed; shade would not be reduced by tree removal.

The proposed Ginger Creek brushpacking site is located immediately below an area burned during the Doubleday Fire in September 2008. The loss of vegetation from the fire places the stream at risk for elevated levels of sediment, especially during the first winter after the burn. This project would provide the Ginger Creek watershed with improved sediment storage. Pulses of sediment following peak flow events will tend to be smaller and stored on-site rather than move downstream in larger pulses. The site is located in Township 35 South, Range 2 East, Section 23 in Jackson County, Oregon.

A progeny site located in Township 33 South, Range 2 East, Section 25 in Jackson County, Oregon would serve as the source of conifer tops and branches. Thinning the progeny site would release conifers growing in dense clumps within a larger plantation where only these clumps are in need of density control.

Plan Conformance Review

The Bureau of Land Management did not scope this proposal and the public was not involved in its development. This proposal is consistent with policy directed by the following:

- *Final Supplemental Environmental Impact Statement and Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl* (Northwest Forest Plan FSEIS, 1994 and ROD, 1994);
- *Final-Medford District Proposed Resource Management Plan/Environmental Impact Statement and Record of Decision and Resource Management Plan* (EIS, 1994 and ROD/RMP, 1995);
- *Record of Decision To Remove the Survey and Manage Mitigation Measure Standards and Guidelines from the Bureau of Land Management Resource Management Plans Within the Range of the Northern Spotted Owl* (USDI 2007); and
- *Medford District Integrated Weed Management Plan Environmental Assessment* (1998) and tiered to the *Final-Northwest Area Noxious Weed Control Program Environmental Impact Statement* (EIS, 1985).

The proposed action is in conformance with the direction given for the management of public lands in the Medford District by the Oregon and California Lands Act of 1937, Federal Land

Policy and Management Act of 1976, Endangered Species Act of 1973, Clean Water Act of 1987, Safe Drinking Water Act of 1974 (as amended 1986 and 1996), Clean Air Act of 1990 (as amended), and Archaeological Resources Protection Act of 1979.

This proposal is consistent with management direction in the Medford District Resource Management Plan that directs the BLM to “Design and implement fish habitat restoration and enhancement activities in a manner that contributes to attainment of Aquatic Conservation Strategy and riparian reserve objectives” (USDI 1995).

Project Design Features

- Use only conifers less than 7" DBH.
- Retain trees containing nests.
- Seasonally restrict activities from March 1 to June 30 to protect owls and other raptors.
- Operate mechanized equipment (with the exception of chainsaws) outside Ginger Creek riparian areas and keep equipment on roads.
- No ground disturbance.
- Maintain current riparian canopy.

Categorical Exclusion Determination

This proposed action qualifies as a categorical exclusion as provided in United States Department of the Interior Departmental Manual 516 DM 11.9 I(1) and C(1).

Section I(1) allows the following:

Planned actions in response to wildfires, floods, weather events, earthquakes, or landslips that threaten public health or safety, property, and/or natural and cultural resources, and that are necessary to repair or improve lands unlikely to recover to a management-approved condition as a result of the event. Such activities shall be limited to: repair and installation of essential erosion structures; replacement or repair of existing culverts, roads, trails, fences, and minor facilities; construction of protection fences; planting, seeding, and mulching; and removal of hazard trees, rocks, soil, and other mobile debris from, on, or along roads, trails, campgrounds, and watercourses. These activities:

- a. Shall be completed within one year following the event;*
- b. Shall not include the use of herbicides or pesticides;*
- c. Shall not include the construction of new roads or other new permanent infrastructure;*
- d. Shall not exceed 4,200 acres; and*
- e. May include temporary roads which are defined as roads authorized by contract, permit, lease, other written authorization, or emergency operation not intended to be part of the BLM transportation system and not necessary for long-term resource management. Temporary roads shall be designed to standards appropriate for the intended uses, considering safety, cost of transportation, and impacts on land and resources; and*
- f. Shall require the treatment of temporary roads constructed or used so as to permit the reestablishment by artificial or natural means, or vegetative cover on the roadway and areas where the vegetative cover was disturbed by the construction or use of the road, as necessary to minimize erosion from the disturbed area. Such treatment shall be designed*

to reestablish vegetative cover as soon as practicable, but at least within 10 years after the termination of the contract.

Section C(1) allows for *Land cultivation and silvicultural activities (excluding herbicide application) in forest tree nurseries, see orchards, and progeny test sites.*

Before any action described in the list of categorical exclusions may be used, the “extraordinary circumstances,” included in 516 DM 2, Appendix 2, must be reviewed for applicability. After review, the BLM determined no extraordinary circumstances exist that would cause the proposed action to have a significant environmental effect. The action will not require additional analysis.

Contact Person

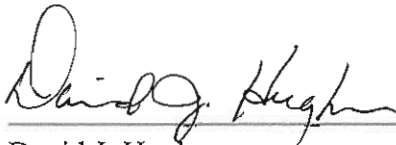
For additional information concerning this project, contact Steve Liebhardt, Fish Biologist, at (541) 618-2248.

Decision

It is my decision to proceed with the brushpacking project on Ginger Creek as described in the Proposed Action.

Decision Rationale

The proposed action has been reviewed by Butte Falls Resource Area staff and appropriate Project Design Features, as specified above, will be incorporated into the proposal. Based on the attached NEPA (National Environmental Policy Act) Categorical Exclusion Review, I have determined the proposed action involves no significant impact to the human environment and no further environmental analysis is required.



David J. Hughes
Acting Field Manager
Butte Falls Resource Area

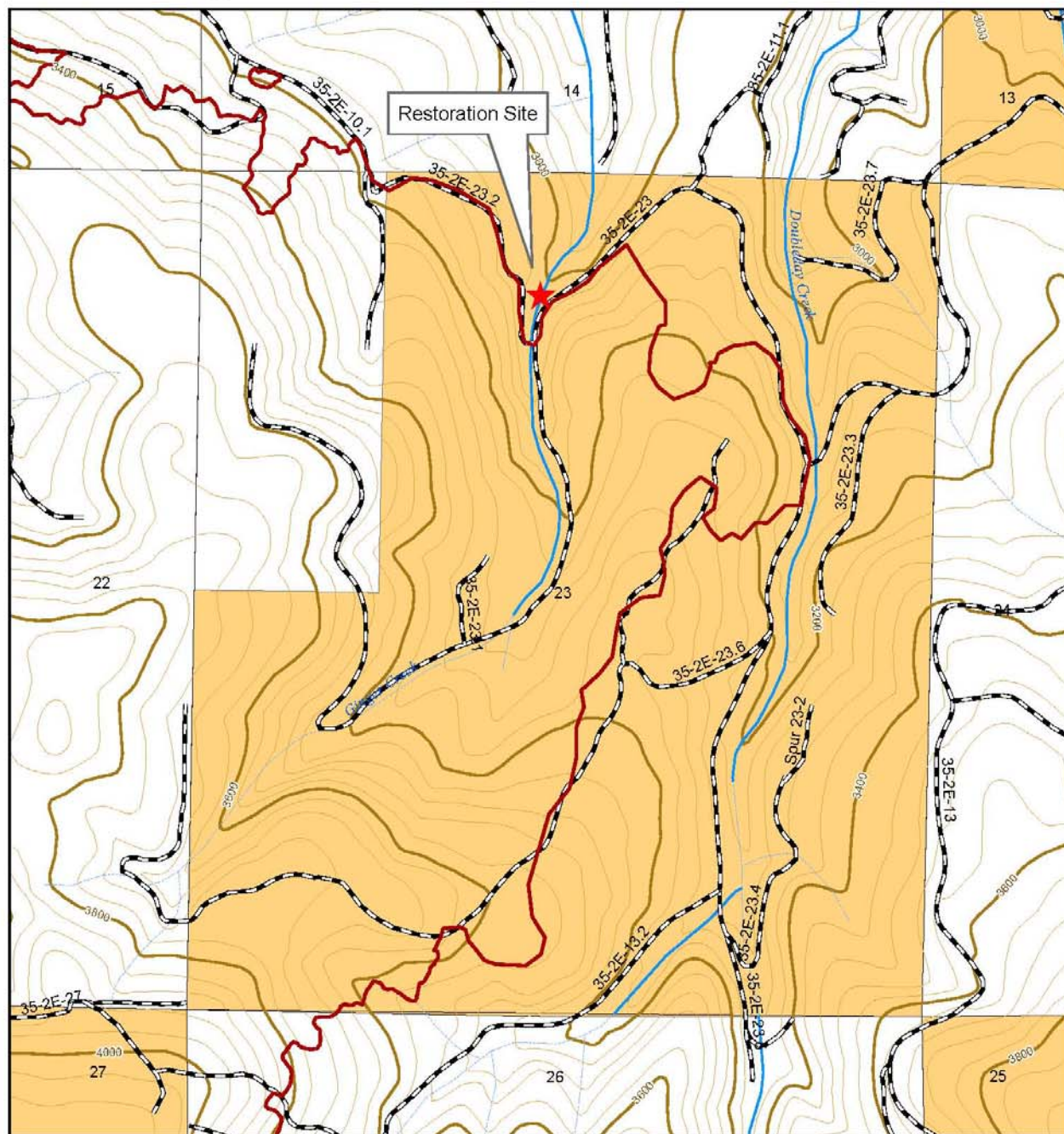
10/24/08

Date

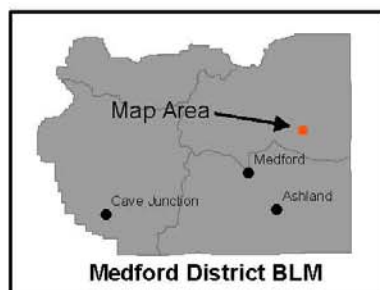
Administrative Review or Appeal Opportunities

Notice of the forest management decision to be made on the action described in this categorical exclusion will be posted on the Medford District internet website. The action is subject to protest under 43 CFR 4.450-2. A decision in response to a protest is subject to appeal to the Interior Board of Land Appeals under 43 CFR part 4.

Ginger Creek Rehab CE - T35S - R2E - Sec. 23



- Doubleday Fire Perimeter
- Road
- Perennial Stream
- Intermittent Stream
- 200 ft. Index Contour
- 40 ft. Intermediate Contour
- BLM-Administered
- Private



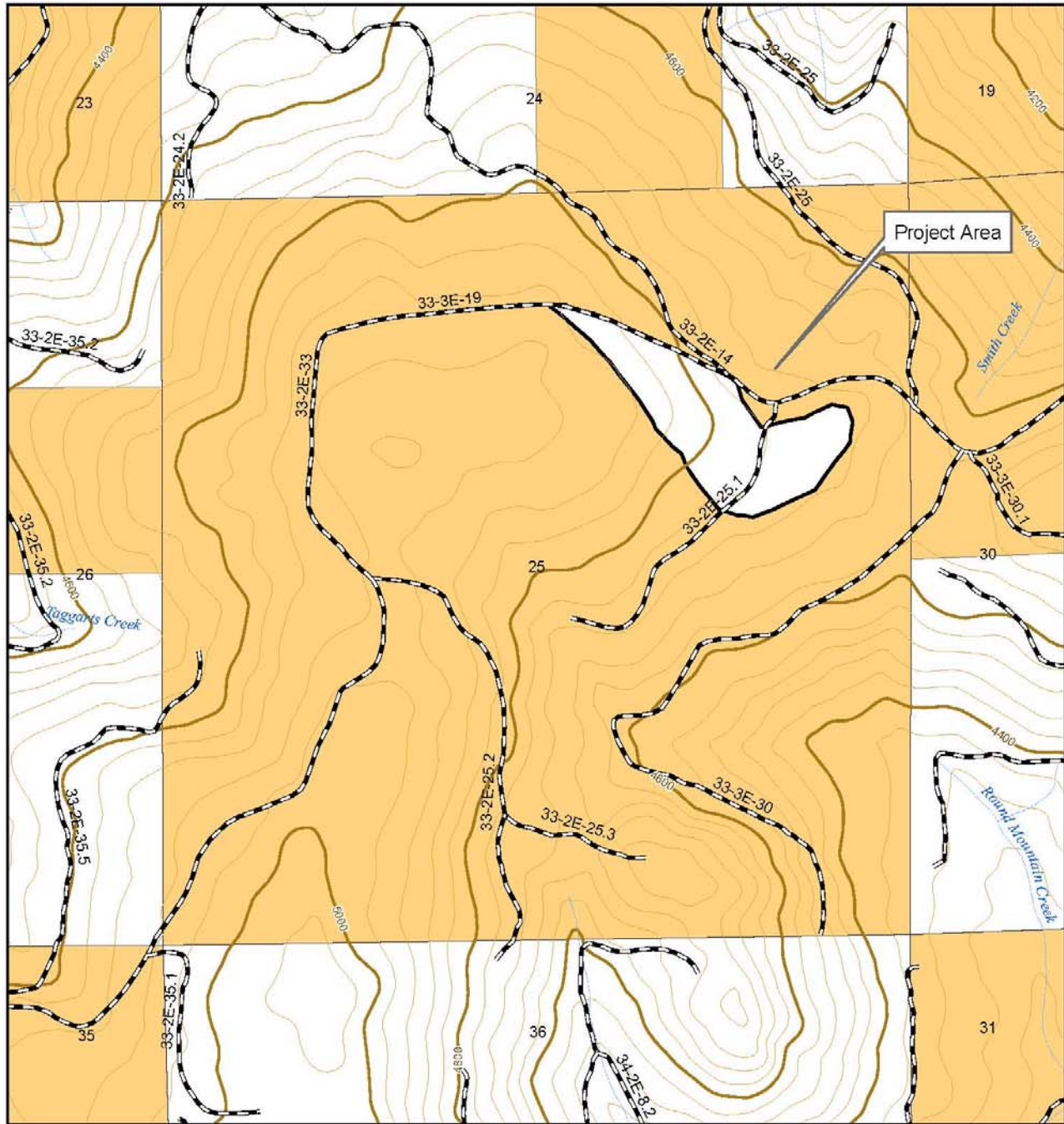
U.S. DEPARTMENT OF THE INTERIOR
Bureau of Land Management
MEDFORD DISTRICT
October 2008



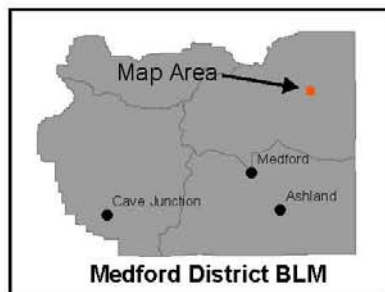
0 310 620 1,240 1,860
Feet

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use as well as other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. The product was developed through digital means and may be updated without notification.

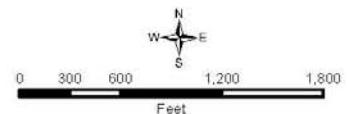
Ginger Creek Rehab CE - T33S - R2E - Sec. 25



- Project Area
- Road
- Perennial Stream
- Intermittent Stream
- 200 ft. Index Contour
- 40 ft. Intermediate Contour
- BLM-Administered
- Private



U.S. DEPARTMENT OF THE INTERIOR
Bureau of Land Management
MEDFORD DISTRICT
October 2008



No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. The product was developed through digital means and may be updated without notification.

NEPA Categorical Exclusion Review**Proposed Action:**

Overstocked conifers from a progeny site would be thinned and transported to a location on Ginger Creek, which is within the Doubleday Fire area. These trees would be combined with poles cut at the Ginger Creek site to form sediment containment structures.

Department of the Interior Manual 516 2.3.A(3) provides for a review of the following criteria for categorical exclusion to determine if exceptions apply to the proposed action based on actions which may:

1. *Have significant impacts on public health or safety.*

☐ Yes ☒ No

Initial RW Remarks:

2. *Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resource; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.*

☐ Yes ☒ No

Initial AK Remarks:

3. *Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].*

☐ Yes ☒ No

Initial RW Remarks:

4. *Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.*

☐ Yes ☒ No

Initial RW Remarks:

5. *Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.*

☐ Yes ☒ No

Initial RW Remarks:

6. *Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.*

☐ Yes ☒ No

Initial SLS Remarks:

7. *Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.*

☐ Yes ☒ No

Initial AK Remarks: *See cultural report OR110-09-21*

8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.

Plants ☐ Yes ☒ No

Initial MW

Remarks: *trees < 7" cut
no ground disturbance*

Animals ☐ Yes ☒ No

Initial LA

Remarks:

Fish ☐ Yes ☒ No

Initial SL

Remarks: *above CCH, project will improve
H₂O quality.*

9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.

☐ Yes ☒ No

Initial RW Remarks:

10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

☐ Yes ☒ No

Initial RW Remarks:

11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).

☐ Yes ☒ No

Initial AR Remarks:

12. Contribute to the introduction, continued existence, or spread of noxious weeds or nonnative invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

☐ Yes ☒ No

Initial MW Remarks: *no ground disturbance*

Reviewers:

| Name | Title | Date | Initials |
|-----------------|--|----------|----------|
| Robyn Wicks | NEPA Coordinator | 10/24/08 | RW |
| Marcia Wineteer | Botanist | 10/23/08 | mw |
| Linda Hale | Wildlife Biologist | 10/23/08 | LH |
| Steve Liebhardt | Fisheries Biologist | 10/23/08 | SL |
| Shawn Simpson | Hydrologist | 10/24/08 | SS |
| Ken Van Etten | Soil Scientist | 10/23/08 | KBV |
| Pat Butler | Fire/Fuels Specialist | 10/23/08 | PB |
| Ann Ramage | Cultural Technician District Archeologist | 10-23-08 | RRB |
| Randy Bryan | Engineer | 10-24-08 | R |
| Trish Lindaman | Outdoor Recreation Planner | 10-23-08 | PL |